



TENTATIVE AGENDA

ROBINS CITY COUNCIL

MONDAY, DECEMBER 5TH, 2022

7:00 - P.M. IN ROBINS CITY HALL

(ONE OR MORE MEMBERS OF THE COUNCIL MAY BE ATTENDING VIA ELECTRONIC DEVICE)

AGENDA:

1. CALL THE MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. APPROVAL OF THE AGENDA
5. MAYOR'S REPORT
6. COUNCIL REPORTS
7. ENGINEERS REPORT
8. CITIZEN COMMENTS – Agenda Items (limited to 3 minutes each)
9. CITIZEN COMMENTS – Non-Agenda Items (limited to 3 minutes each)
10. CONSENT AGENDA:
 - a. Minutes of the November 7th, 2022 Meeting
 - b. Financial Report
 - c. List of Bills Submitted
 - d. Resolution No. 1222-4, Casey's Class E Liquor License including Sunday Sales.
11. OLD BUSINESS
 - a. None
12. NEW BUSINESS
 - a. Right-of-way Agreement with United Private Networks (UPN).
 - b. Resolution No. 1122-1 – Kellogg Acres Final Plat to Linn County.
 - c. Resolution No. 1122-2 – Cambridge Heights Final Plat.
 - d. Amendment No. 1 to Developer's Agreement #2021-2, Eagle View Development Agreement.
 - e. Resolution No. 1122-3 – Eagle View Final Plat.
 - f. Developer's Agreement #2022-3, Robins Landing Development.
13. MOTION TO ADJOURN

Memorandum

To: City of Robins (Mayor and Council)

Date: November 30, 2022

From: Kelli Scott, P.E.

CC:

RE: City Engineer's Report

CITY PROJECTS

Southeast Quadrant Sanitary Trunk Sewer (Camelot Pl)

The installation of the sanitary sewer was completed on 11/3/22.

Due to the upsizing of the subdrain, the swale grading needed to be modified to maintain the necessary cover. When discussing the options, the City found the existing culverts to be in poor condition and asked for replacement options. Snyder sent City budgetary material cost and design for a new box culvert under Troy Rd. Upon approval, Snyder will send to Rathje to provide actual cost for improvements.

Mike and Lori submitted permit application to improve drainage way in Chicago, Central & Pacific Railroad Company ROW and are awaiting approval.

Snyder sent ITC to Rathje to provide a cost for work to improve railroad ROW drainage way and are waiting for a response.

Regional Retention Basin

No update.

West Main St Trail and Road Reconstruction

We have completed internal quality review of preliminary plans. We are working to make adjustments to the design and preliminary plans. We will review the preliminary design and plan information with City staff to collect feedback for the final design and plan preparation.

We experienced some issues with our traffic camera equipment that caused some delays in acquiring the data that was collected. We were able to resolve the issue and are in the process of analyzing the traffic and preparing a report of information and recommendations.

DEVELOPMENTS

The Village First Addition

No Update

Sanitary sewer still has testing to be completed.

The subgrade is being prepped for paving.

Eagle View First Addition

All sanitary sewer repairs have been made. A final mandrel test will need to be completed on or around December 13th.

Woods Edge

The final plat has been reviewed and will be on the next P&Z agenda.

There are grading issues within the detention basin that will need addressed prior to City acceptance of the project.

Cambridge Heights 2nd Addition

The Final Plat is on the agenda for approval.

The punchlist items have been satisfactorily completed.

Robins Landing Phase I

The Developer has begun grading on the site.

Snyder has reviewed the TIS and agrees with the recommendation for a left turn lane to be installed on Robins Road to Hampton Street. We are working with Linn County to determine if the trail crossing should also be relocated.

A final draft of the DA is on the agenda for approval.

MISCELLANEOUS

Tower Terrace Road

No Update.

RAISE funding was not awarded to TTR for the 2022 application cycle.

Indian Creek and Dry Run Creek Sanitary Sewer

No Update.

I received an update from Marion 3 weeks ago stating they have everything ready for a letting but have yet to set a date.

An amendment to the 28E with all of the jurisdictions is being prepared, as CR has requested additional flow coming from the north side of Robins that changes all of the allocation percentages downstream.

There has been no change to the estimate of cost, which was previously indicated as \$8,014,266.35 in October 2018. Robins' portion of the estimated cost would be \$1,740,483.

Transportation Technical Advisory Committee (TTAC)

No Update

Main Street was added to the Fiscally Constrained plan which will allow us to apply for up to 80% of the project costs.

REDI

No update.

Knollwood Basin

No Update.

Data has been analyzed and a memo prepared. We will deliver the analysis memo to City staff and work with City staff and officials to review the analysis information and determine next steps.

28-E Agreements

No Update.

We are waiting on CR to prepare some information for our next meeting. Next meeting is TBD.



November 2022 Fire Report

Total Calls:	21
Medical Calls:	13
Carbon Monoxide Alarm:	1
Smoke/Fire Alarm (no fire):	3
3 Vehicle Accident:	1
Hiawatha Mutual Aid:	1
Monroe Mutual Aid:	2

Training

Fire training: This month 15 members attended fire training night where we had three stations set up for drills using our SCBA Air Packs.

Medical training: This month's medical training was on seizures. 15 members attended.

Many thanks to the Robins Civic Club for their donation to the Robins Firefighters Association. We have purchased a new Combi-Carrier backboard for our UTV with these funds.

Chief Keith Feldkamp



ROBINS CITY COUNCIL Minutes of the November 7th, 2022 Meeting

Mayor Pro-tem Roger Overbeck called the meeting to order at 7:00 p.m. in the Robins City Hall on Monday, November 7th, 2022. After the Pledge of Allegiance to the Flag, roll call was taken with Councilors Marilyn Cook, Dick Pilcher, Roger Overbeck, Dave Franzman and JD Smith present, along with Captain Gary Manhart, Fire Chief Keith Feldkamp, Attorney Holly Corkery, Engineer Kelli Scott, Building Official/ Public Works Superintendent Mike Kortenkamp, Deputy Clerk Lisa Goodin and City Clerk/Treasurer Lori Pickart. Absent was Mayor Chuck Hinz. Pilcher moved to approve the Agenda, Franzman seconded and all voted aye.

COMMITTEE REPORTS

- ≈ Public Works Coordinator Roger Overbeck noted work on the SE Trunk Sanitary Sewer replacement continues. He added the first leaf pickup has been completed with 45.54 tons of leaves picked up and noted the next round of leaf pickup starts on November 28th.
- ≈ Streets Coordinator JD Smith noted this year's crack sealing has been completed. Kortenkamp noted the salt shed should be assembled yet this week.
- ≈ Parks Coordinator Dave Franzman noted the parks are closed for the season. He added the city did not receive the ARPA grant to fund a park pavilion at a future park.
- ≈ Public Safety Coordinator Dick Pilcher noted the Robins Fire Code was recently updated and thanked those who helped with the change.
- ≈ Finance Coordinator Marilyn Cook noted the city is in the 5th month of FY'23 adding the budgets all look good.
- ≈ Engineer Kelli Scott noted there are no additions to the written report. She added the Tower Terrace and North Center Point Road round a bout is open to traffic. She noted pay request #2 for work done on the SE Trunk Sanitary Sewer improvements follows on the agenda. She reported the drainage report and traffic study has been completed for Robins Landing, adding the grading report is not yet completed.

There were no Citizen Comments.

CONSENT AGENDA

- ≈ Franzman moved to approve the Consent Agenda which included the Minutes of the October 17th meeting; the Financial Report; the List of Bills Submitted; Resolution No. 1122-1 approving the liquor license for Otter Creek Country Stores; and Resolution No. 1122-3, approving Pay Request #2 to Rathje Construction for work done on the SE Trunk Sanitary Sewer Improvements. There was no discussion, Smith seconded the motion and all voted aye.

OLD BUSINESS

- a. **Annexation Request.** Overbeck opened a public hearing at 7:17 p.m. to hear comments and concerns relating to the annexation request of Fred and Gloria Baker of 3164 Quass Road to annex their property into Robins. There were no comments received, the public hearing closed at 7:18 p.m.
- b. **Resolution No. 1122-2.** Cook moved to approve Resolution No. 1122-2, approving the annexation request of Fred and Gloria Baker of 3164 Quass Road, Smith seconded and all voted aye.
- c. **Resolution No. 1022-4.** Pickart noted the Council passed Resolution No. 1022-4, October 3rd, 2022 authorizing the purchase of two (2) speed monitors. Manhart noted the quotation has expired and the price has gone up. He noted he has found a better option with more bells and whistles, adding the quotation follows on the agenda. He added the new quotation has been received from the company the mobile unit purchased several years ago, noting employees are familiar with the software and how the system works. Pilcher moved to rescind Resolution No. 1022-4, Smith seconded and all voted aye.

- d. **Quote #34403, Speed Cameras.** Pilcher moved to approve Quote #34403 from MPH Industries to purchase two (2) speed monitors in the amount of \$15,261.00 plus freight, Smith seconded and all voted aye.
- e. **South Troy Park Cameras.** After approval of purchasing two additional security cameras for the South Troy Park at the last meeting, a meeting was held with the vendor to assure adequate coverage, particularly at the serving window and in the west side pavilion. Kortenkamp, who attended the meeting noted a "dome" camera will be installed in the pavilion which will give all around coverage. He also noted the city employees are currently installing a new post near the entrance for the license plate reader.

NEW BUSINESS

- a. **Public Hearing - Annual Report.** Overbeck opened a public hearing to hear comments and concerns relating to the FY'22 Annual Report at 7:38 p.m. Pickart noted the report explains the beginning balance of FY'22, how the city funds were used; the funds received in FY '22; the city's outstanding debt; and the ending fund balances. There were no comments received, the hearing closed at 7:38 p.m. Pilcher moved to approve the report, Franzman seconded and all voted aye.
- b. **Kluesner Proposal.** Overbeck noted while inspecting the sewer main along South Troy Road the camera located a fence post through the sewer main. He noted the fence post has been there for several years with no one knowing it went through the main. He noted Kluesner Construction was in town doing other work and had time to fix the problem immediately when he gave verbal approval to. He asked for a motion to approve estimate #E22-447 in the amount of \$ 5543.00, of which Smith did. Overbeck seconded the motion and all voted aye.
- c. **Resolution No. 1122-4, Agreement with Chicago, Central & Pacific Railroad.** Kortenkamp noted a drainage problem exists under the Chicago, Central & Pacific Railroad trestle on the south side of Robins. He noted the City has an easement for the area and is in charge of maintaining the property but needs to acquire a "Right of Entry" agreement to perform the work. Pickart noted she has worked with the City's insurance carrier to obtain a Certificate of Liability Insurance naming the railroad as additionally insured. Pilcher moved to approve Resolution No. 1122-4 approving the Agreement, Smith seconded and all voted aye.

Franzman moved to adjourn at 7:54 p.m., Overbeck seconded and all voted aye.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer



ACCOUNT:	BALANCE 11/1/22	NOVEMBER RECEIPTS	NOVEMBER EXPENSES	BALANCE 11/30/22	PROPOSED BILLS	ANTICIPATED BALANCE
GENERAL FUND	\$2,376,856.05	\$123,229.63	\$316,465.84	\$2,183,619.84	\$95,500.33	\$2,088,119.51
ROAD USE	\$865,973.10	\$36,468.85	\$131,894.62	\$770,547.33	\$130,542.25	\$640,005.08
ROBINS BASEBALL	\$13,468.34	\$0.00	\$0.00	\$13,468.34	\$0.00	\$13,468.34
LOCAL OPTION TAX	\$1,836,460.74	\$0.00	\$827.75	\$1,835,632.99	\$14,328.38	\$1,821,304.61
TIF	\$474,059.81	\$15,104.54	\$0.00	\$489,164.35	\$0.00	\$489,164.35
DEBT SERVICE	\$153,276.09	\$6,415.11	\$30,915.00	\$128,776.20	\$0.00	\$128,776.20
CAPITAL PROJECTS	\$2,612,351.70	\$0.00	\$0.00	\$2,612,351.70	\$0.00	\$2,612,351.70
WATER UTILITY	\$206,243.20	\$0.00	\$1,362.18	\$204,881.02	\$910.04	\$203,970.98
SEWER UTILITY	\$645,503.69	\$2,495.94	\$82,707.59	\$565,292.04	\$27,119.65	\$538,172.39
TOTALS	\$9,184,192.72	\$183,714.07	\$564,172.98	\$8,803,733.81	\$268,400.65	\$8,535,333.16

November Receipts	
Police Fines	\$208.00
Vehicle Inspections	\$440.00
American Relief Plan	\$0.00
Park Rental	\$0.00
Golf Cart License	\$0.00
Ball Diamond Usage	\$0.00
City Hall Rental	\$400.00
Building Permits	\$3,052.00
Coseco Permits	\$0.00
Engineering Services Fee	\$85,461.10
Platting Fees	\$0.00
Misc. Receipts	\$55.00
Property Taxes	\$32,343.53
Alcohol Permits	\$1,235.00
Road Use Receipts	\$36,468.85
Local Option Tax Receipts	\$0.00
TIF Receipts	\$15,104.54
Debt Service Receipts	\$6,415.11
Bond Proceeds	\$0.00
Capital Projects Reimbursements	\$0.00
Cedar Rapids Water Reimbursement	\$0.00
Water Main Fees	\$0.00
Water Connection Fee	\$0.00
Sewer User Fees	\$2,296.55
System Development Fees	\$0.00
Total Receipts	\$183,479.68

Cash and Investment Account Balance as of 11/31/22

	Checking	Savings	CD's	Totals
General Fund	\$135,065.08	\$2,048,554.76		\$2,183,619.84
Road Use	\$37,015.38	\$733,531.95		\$770,547.33
Robins Baseball Inst.	\$212.67	\$13,255.67		\$13,468.34
Local Option Tax	\$23,269.48	\$1,812,363.51		\$1,835,632.99
TIF	\$15,877.04	\$473,287.31		\$489,164.35
Debt Service	\$11,025.83	\$117,750.37		\$128,776.20
Capital Projects	\$543.61	\$2,611,808.09		\$2,612,351.70
Water Utility	\$294.09	\$204,586.93		\$204,881.02
Sewer Utility	\$3,182.46	\$562,109.58		\$565,292.04
Totals	\$226,485.64	\$8,577,248.17	\$0.00	\$8,803,733.81

Vendor	Description	Parks	Police	Fire	General - Other	P&A	Road Use	Sewer Utility	Water Utility	Lost/Capital Projects	Total
620 Foundation	Mr. & Mrs. Santa				150.00						150.00
Alliant Energy	electricity	225.05	212.96	212.97	1,573.76	199.80	137.96	114.32	19.07		2,695.89
Amazon	police supplies		265.45								265.45
Banacom Signs	supplies		72.00								72.00
Batteries Plus	supplies			303.56			6.65				310.21
Boeckmann, Neal	phone stipend						46.50				46.50
Cedar Rapids Utilities	service	128.55						15,394.00			15,522.55
Cedar Valley Humane	animal care				260.00						260.00
City of Robins	sewer usage	174.50	38.00	38.00		71.00	68.50				390.00
Copyworks	supplies		21.75								21.75
CR/LC Solid Waste	garbage				10.00						10.00
D&K Products	supplies				531.50						531.50
Day Rettig Martin	service					79.75					79.75
Doors, Inc.	service		2,512.00								2,512.00
Electronic Engineering	supplies	425.00									425.00
EMC Insurance	service					41.24					41.24
Fire Service Training	service			50.00							50.00
Gazette	publications					109.04					109.04
Goodin, Lisa	phone stipend					46.50					46.50
G-Works	Subscription Fee					8,247.00		2,500.00			10,747.00
Hawkeye Comm. Coll.	dues			200.00							200.00
Henderson Truck	Chassis and parts						29,798.34				29,798.34
Humphrey, Andy	phone stipend		46.50								46.50
Iowa Firefighters Assn	dues			289.00							289.00
Iowa One Call	locates							106.20			106.20
Iowa Prision Ind.	sign				91.80						91.80
John Deere Credit	supplies						205.40				205.40
John's Lock & Key	service	11.97									11.97
Jordan's Property	leaf pickup, rd 1				15,534.00						15,534.00
Ken-Way Trucking	S.T. sewer post							4,535.50			4,535.50
Kluesner Construction	crack sealing						22,567.00				22,567.00
Koch Office	copier					562.17					562.17
Lauderdale, Chris	reimbursement		50.94								50.94
L/C Sheriff	auto service		57.63								57.63
Linn Co-op	lawncare	811.50	86.00	86.00		172.00			63.00		1,218.50

Vendor	Description	Parks	Police	Fire	General - Other	P&A	Road Use	Sewer Utility	Water Utility	Lost/Capital Projects	Total
Linn Co-op Oil	fuel						1,335.27				1,335.27
Linn Co-op Oil	supplies						211.86				211.86
Linn County REC	electricity				1,017.64			336.20	827.97		2,181.81
LL Pelling	service-salt shed						27,137.50				27,137.50
Lynch Dallas	legal services					858.00					858.00
Manhart, Gary	phone stipend		46.50								46.50
Menards	supplies						66.79				66.79
Metro Studios	web page design					3,225.00					3,225.00
Mid-American Energy	natural gas		53.42	53.43		55.87	18.50				181.22
Midway Outdoor	parts				3.90						3.90
Miene Septic	service						830.00				830.00
Omni-site	parts							119.19			119.19
O'Reilly Auto	parts						200.44				200.44
Payroll-Bartels, Brett	Police Officer		502.29								502.29
Payroll-Bell, Keith	Police Officer		75.79								75.79
Payroll-Boeckmann, Neal	Streets/Sewers/Fire	372.38		744.76	372.38		2,234.24				3,723.76
Payroll-Dunn, Jim	Police Officer		292.44								292.44
Payroll-Goodin, Lisa	Deputy Clerk				757.94			1,136.92			1,894.86
Payroll-Helander, Dean	P&Z Administrator				942.60						942.60
Payroll-Hinz, Chuck	Mayor					368.40					368.40
Payroll-Hoppe, Phillip	Streets/Sewers	20.06		120.46		180.67		30.11			351.30
Payroll-Humphrey, Scott	Police Chief		6,282.10								6,282.10
Payroll-Kortenkamp, Mike	Building/Public Works				2,295.86		1,147.94	1,147.92			4,591.72
Payroll-Manhart, Gary	Police Officer		1,391.73								1,391.73
Payroll-McGiverin	Police Officer		2,163.00								2,163.00
Payroll-Oshel, Deric	Police Officer		677.05								677.05
Payroll-Payne, Tim	Police Officer		666.64								666.64
Payroll-Pickart, Lori	City Clerk					4,724.54					4,724.54
Payroll-Potts, Kenny	Streets/Sewers/Parks	265.15			45.74		740.49				1,051.38
Payroll-Vanersveld, Jeff	Streets/Sewer/Parks	140.95		9.34		28.16	827.12	329.14			1,334.71
Payroll-Welton, Joey	Streets/Sewer/Parks	159.26				53.09	1,260.13	433.09			1,905.57
Pickart, Lori	phone stipend					46.50					46.50
Point Computer	service	35.00	947.50	120.00		140.00	225.00				1,467.50
Rexco Equipment	parts						89.05				89.05
Snyder & Associates	engineering				19,920.65	8,831.94		348.00		14,328.38	43,428.97
Technicom	service					124.00					124.00

12/1/22	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
1. PUBLIC SAFETY															
Police Department															
Salaries	11,164	9,675	9,515	15,225	15,837	16,403							77,819	145,000	67,181
FICA, City Share	841	726	714	1,151	1,198	1,241							5,871	11,093	5,222
IPERS, City Share	835	628	696	1,174	1,320	1,271							5,924	13,500	7,576
Health Insurance	1,512	1,641	1,641	1,641	1,641	1,641							9,717	25,000	15,283
Training/Travel	0	70	0	0	0	0							70	5,000	4,930
Building Maintenance	252	149	74	0	126	2,598							3,199	5,000	1,801
Gas & Oil	945	810	549	413	364	497							3,578	6,000	2,422
Vehicle Repair	42	38	59	0	332	58							529	5,000	4,471
Utilities	406	452	445	422	305	304							2,334	6,000	3,666
Communications	148	128	158	99	149	93							775	2,000	1,225
Municipal Insurance	0	0	2,447	3,750	0	0							6,197	15,000	8,803
State/County Charges	0	0	0	0	0	0							0	2,500	2,500
Dispatch Fees	0	0	0	0	0	0							0	5,100	5,100
Computer/Software	675	355	1,276	1,373	35	948							4,662	7,500	2,838
Misc. Supplies	1,697	320	1,901	807	205	711							5,641	12,000	6,359
Guns/Holsters/Lights	0	0	748	0	2,573	787							4,108	4,200	92
Signs/Cameras	0	0	0	168	0	0							168	3,000	2,832
Reserve Program Costs	0	0	0	0	0	0							0	52,000	52,000
New Car	0	0	0	0	0	0							0	52,000	52,000
Police Total	18,517	14,992	20,223	26,223	24,085	26,552	0	0	0	0	0	0	130,592	339,893	209,301
Fire Department															
Salaries & Stipends	13,290	1,194	1,373	12,533	1,596	1,213							31,199	70,000	38,801
FICA	1,014	89	103	956	120	91							2,373	5,355	2,982
IPERS	221	111	128	221	191	114							986	2,000	1,014
Health Insurance	347	235	235	368	235	235							1,655	3,600	1,945
Dues/Memberships	0	0	0	0	0	200							200	600	400
Fire Training	0	0	0	0	633	50							683	2,900	2,217
Medical Training	0	0	50	0	633	0							683	4,400	3,717
Station Maintenance	957	149	8,030	261	1,260	375							11,032	11,541	509
Gas & Oil	74	273	93	259	312	188							1,199	1,800	601
Truck Repair	207	225	87	1,669	0	304							2,492	9,100	6,608
Utilities	406	453	445	419	305	304							2,332	6,000	3,668
Communications	49	64	79	50	74	120							436	850	414
Municipal Insurance	0	65	2,447	5,000	0	0							7,512	20,000	12,488
Immunications	177	0	0	0	0	0							177	6,000	5,823
Medical Supplies	0	130	0	0	178	0							308	2,000	1,692
Major Equipment	344	0	0	0	0	0							344	500	156
Attire	0	0	0	0	0	0							0	6,000	6,000
Fire Total	17,086	2,988	13,070	21,736	5,537	3,194	0	0	0	0	0	0	63,611	152,646	89,035
Animal Control	205	0	0	130	410	260	0	0	0	0	0	0	1,005	2,500	1,495
TOTAL PUBLIC SAFETY	35,808	17,980	33,293	48,089	30,032	30,006	0	0	0	0	0	0	195,208	495,039	299,831
2. PUBLIC WORKS															
Drainage Salaries	1,419	1,144	1,403	1,527	526	588							6,607	16,000	9,393
FICA-City Share	108	86	106	116	39	44							499	1,224	725
IPERS-City Share	134	107	132	144	50	55							622	1,510	888

12/1/22	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
Health Insurance	92	118	117	101	128	118							674	1,400	726
Mowing Costs	11	36	60	28	0	4							139	3,600	3,461
Bridge/Drainage	1,250	1,841	107	291	9,458	781							13,728	60,000	46,272
Tree Maintenance	0	0	0	0	0	0							0	2,500	2,500
NPDES Requirements	0	0	0	0	0	0							0	2,500	2,500
SE Trunk Sewer (Amer)	0	6,711	3,932	126,401	207,199	19,672							363,915	528,862	164,947
W. Main St. Trail	0	0	0	10,570	12,700	0							23,270	0	-23,270
Streets Total	3,014	10,043	5,857	139,178	230,100	21,262	0	0	0	0	0	0	409,454	617,596	208,142
Street Lighting	2,485	2,476	2,694	2,571	2,217	2,591							15,034	35,000	19,966
Traffic Signs	66	0	343	536	0	92							1,037	13,000	11,963
Solid Waste	0	62	0	20	0	15,544							15,626	27,000	11,374
TOTAL PUBLIC WORKS	5,565	12,581	8,894	142,305	232,317	39,489	0	0	0	0	0	0	441,151	692,596	251,445
4. CULTURE & RECREATION															
Library Service	0	0	26,634	0	0	0							26,634	120,000	93,366
Parks Department															
Salaries	3,267	2,522	3,449	2,640	1,935	1,317							15,130	32,000	16,870
FICA	249	192	263	201	147	100							1,152	2,448	1,296
IPERS	308	237	325	249	183	124							1,426	3,021	1,595
Health Insurance	92	118	118	101	117	118							664	1,500	836
Maintenance	274	1,346	14	442	6,862	1,283							10,221	30,000	19,779
Park Camera System	0	0	0	0	0	0							0	3,000	3,000
Utilities	307	694	477	430	516	528							2,952	4,500	1,548
Multi-Gen/Pickleball	0	0	0	0	0	0							0	50,000	50,000
Total	4,497	5,109	4,646	4,063	9,760	3,470	0	0	0	0	0	0	31,545	126,469	94,924
Cemetery	0	0	0	0	0	0							0	2,500	2,500
Special Events	0	0	0	0	150	133							283	1,700	1,417
City Entrance Signs	0	0	47	0	0	0							47	500	453
TOTAL CULTURE & RECREATION	4,497	5,109	4,693	4,063	9,910	3,603	0	0	0	0	0	0	31,875	131,169	99,294
5. COMMUNITY & ECONOMIC DEVELOPMENT															
P&Z/Inspectors/Building															
Salaries	5,621	5,750	5,651	5,755	5,688	5,634							34,099	71,000	36,901
Meeting Fees	862	0	0	101	0	0							963	2,000	1,037
FICA	423	433	425	433	428	424							2,566	5,432	2,866
IPERS	531	543	533	543	537	532							3,219	6,702	3,483
Health Insurance	767	830	830	830	830	830							4,917	15,000	10,083
Mileage/Stipends	0	0	0	0	0	0							0	400	400
Communications	49	49	50	50	72	106							376	500	124
Training	0	0	0	0	0	85							85	5,000	4,915
Misc. Supplies	0	583	249	134	0	0							966	2,500	1,534
Vehicle	0	62	96	44	43	41							286	2,000	1,714
TOTAL COMM. & ECON.	8,253	8,250	7,834	7,890	7,598	7,652	0	0	0	0	0	0	47,477	110,534	63,057
6. GENERAL GOVERNMENT															
Mayor/Council															
Salaries	1,900	400	400	1,540	400	400							5,040	19,800	14,760
FICA	127	31	31	103	31	31							354	1,515	1,161
IPERS	308	0	0	23	0	0							51	500	449
Gas Stipends	307	0	0	210	0	0							517	2,000	1,483
Total Mayor/Council	2,362	431	431	1,876	431	431	0	0	0	0	0	0	5,962	23,815	17,853
Policy & Admin.															

	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
12/1/22															
Salaries	6,667	6,798	6,798	6,798	6,798	6,798							40,657	86,000	45,343
FICA	495	504	504	504	504	504							3,015	6,579	3,564
IPERS	629	642	642	642	642	642							3,839	8,118	4,279
Health Insurance	1,771	1,922	1,922	1,922	1,922	1,922							11,381	31,500	20,119
Dues/Memberships	2,080	0	0	0	0	0							2,080	4,000	1,920
Training/Travel	0	0	0	0	0	0							0	1,000	1,000
Strategic Planning	0	0	0	0	0	0							0	20,000	20,000
Clock Tower Maintenal	0	0	0	0	0	0							0	1,500	1,500
Communications	99	129	158	676	149	217							1,428	2,700	1,272
Publications	129	435	331	113	344	109							1,461	3,000	1,539
R/L Engineering	0	3,973	3,314	1,740	0	2,631							11,658	10,000	-1,658
Engineering	0	28,709	11,241	13,636	17,883	4,909							76,378	30,000	-46,378
Municipal Insurance	0	0	2,447	2,294	0	41							4,782	40,000	35,218
Legal	1,480	2,523	1,719	891	2,625	938							10,176	50,000	39,824
Data Processing	280	400	1,089	105	0	8,387							10,261	12,000	1,739
Corridor MPO	0	0	0	0	2,617	0							2,617	4,000	1,383
Office Supplies	4	426	231	412	1,547	562							3,182	7,000	3,818
Misc. Supplies	1,337	0	807	9	0	0							2,153	3,000	847
Postage	0	205	0	188	126	63							582	800	218
Office Contingencies	3,225	3,225	0	0	0	3,225							9,675	11,500	1,825
Digitalize Files	0	0	0	0	0	0							0	3,000	3,000
Total Policy & Admin	18,196	49,891	31,203	29,930	35,157	30,948	0	0	0	0	0	0	195,325	335,697	140,372
City Hall/Buildings															
Salary - Cleaning	1,587	222	173	191	569	334							3,076	4,500	1,424
FICA	121	17	13	15	43	26							235	344	109
IPERS	150	21	16	18	54	32							291	425	134
Maintenance	528	224	62	0	0	339							1,153	10,000	8,847
Utilities	251	341	306	335	121	326							1,680	4,500	2,820
Church Planning/Desig	0	0	0	0	235	0							235	80,000	79,765
City Hall Total	2,637	825	570	559	1,022	1,057	0	0	0	0	0	0	6,670	99,769	93,099
TOTAL GENERAL GOVERN	23,195	51,147	32,204	32,365	36,610	32,436	0	0	0	0	0	0	207,957	459,281	251,324
TOTAL GENERAL FUND	77,318	95,067	86,918	234,712	316,467	113,186	0	0	0	0	0	0	923,668	1,888,619	964,951
Road Use															
Salaries	7,268	7,813	7,918	5,854	8,678	8,425							45,956	85,000	39,044
FICA, City Share	548	589	597	440	655	635							3,464	6,503	3,039
IPERS, City Share	684	734	736	552	819	796							4,321	8,024	3,703
Health Insurance	894	1,065	1,065	973	1,065	1,065							6,127	17,000	10,873
Building Repair/Maint	656	36	76	0	34	0							802	33,000	32,198
Gas/Oil/Maintenance	606	609	1,781	434	301	1,705							5,436	7,000	1,564
Equipment Repairs	198	205	432	0	217	3,900							4,952	20,000	15,048
Utilities	173	235	202	243	21	225							1,099	3,200	2,101
Communications	197	262	278	248	367	353							1,705	2,500	795
Insurance	0	0	2,447	7,500	0	0							9,947	30,000	20,053
Legal/Engineering	0	1,119	261	920	1,035	0							3,335	5,000	1,665
Street Maint/Construct	0	16,784	17,157	4,688	0	23,397							62,026	200,000	137,974
Traffic Signs	0	0	0	0	0	0							0	3,000	3,000
Parts & Repair	880	2,849	1,292	272	578	596							6,467	12,000	5,533
Major Equipment	0	0	0	0	26	0							26	1,000	974
Rock/Sand/Material	123	0	2,188	591	636	0							3,538	31,000	27,462

12/1/22	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
Contracted Services	0	0	0	0	0	0	0	0	0	0	0	0	0	5,000	5,000
Capital Imp/Truck Res.	0	0	0	0	0	0	0	0	0	0	0	0	0	157,082	157,082
Snow truck #2 Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	94,259	94,259
03 Utility Truck Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	75,000	75,000
Large Eq. Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	40,501	40,501
Replace Bobcat	0	0	0	0	0	0	0	0	0	0	0	0	0	7,100	7,100
Salt Shed	0	6,035	0	615	79,011	29,834	0	0	0	0	0	0	115,495	150,000	34,505
NEPA Engineering	0	0	0	0	0	0	0	0	0	0	0	0	0	25,000	25,000
18 Utility Truck Reser.	0	0	0	0	38,136	26,188	0	0	0	0	0	0	64,324	18,750	-45,574
STREETS TOTAL	12,227	38,335	36,430	23,330	131,579	97,119	0	0	0	0	0	0	339,020	1,036,919	697,899
Snow Removal Wages	258	263	263	263	263	337	0	0	0	0	0	0	1,647	15,000	13,353
FICA-Snow	19	20	20	20	20	25	0	0	0	0	0	0	124	1,148	1,024
IPERS, City Share	24	24	24	25	25	32	0	0	0	0	0	0	154	1,416	1,262
Health Insurance	43	55	55	47	55	55	0	0	0	0	0	0	310	1,100	790
Snow Removal Total	344	362	362	355	363	449	0	0	0	0	0	0	2,235	18,664	16,429
ROAD USE TOTAL	12,571	38,697	36,792	23,685	131,942	97,568	0	0	0	0	0	0	341,255	1,055,583	714,328
RBI Equipment	0	0	0	0	0	0	0	0	0	0	0	0	0	10,000	0
LOCAL OPTION TAX															
SE Trunk Sewer Overage	0	0	0	0	0	0	0	0	0	0	0	0	0	172,000	172,000
W. Main St. Trail	68,759	21,288	3,618	0	93,664	14,328	0	0	0	0	0	0	201,657	270,000	68,343
Kings Way Water	0	0	5,323	0	828	0	0	0	0	0	0	0	6,151	0	-6,151
Robins Park Land	0	0	0	0	0	0	0	0	0	0	0	0	0	400,000	400,000
7. DEBT SERVICE	68,759	21,288	8,941	0	94,492	14,328	0	0	0	0	0	0	207,808	842,000	634,192
2016 Bond	0	0	0	0	0	0	0	0	0	0	0	0	0	300,000	300,000
Principal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-13,341
Interest	0	0	0	0	13,341	0	0	0	0	0	0	0	13,341	0	0
Total	0	0	0	0	13,341	0	0	0	0	0	0	0	13,341	300,000	286,659
2020 Bond	0	0	0	0	0	0	0	0	0	0	0	0	0	790,000	790,000
Principle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest	0	0	0	0	17,574	0	0	0	0	0	0	0	0	35,148	35,148
Total	0	0	0	0	17,574	0	0	0	0	0	0	0	0	825,148	825,148
Rebate - Maine	250	0	0	0	0	0	0	0	0	0	0	0	250	1,200	950
Bonding Fees	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL DEBT SERVICE	0	0	0	0	30,915	0	0	0	0	0	0	0	13,591	1,126,348	1,112,757
8. CAPITAL PROJECTS															
CHR w/Linn County	0	0	728	16,016	0	0	0	0	0	0	0	0	16,744	325,000	308,256
Tower Terrace Inter.	0	0	0	0	0	0	0	0	0	0	0	0	0	200,000	200,000
Indian Creek Sewer	0	0	0	0	0	0	0	0	0	0	0	0	0	1,750,000	1,750,000
Total Capital Projects	0	0	728	16,016	0	0	0	0	0	0	0	0	16,744	2,275,000	2,258,256
9. BUSINESS TYPE															
Water Utility															
Pump Station Electricit	882	812	778	646	840	847	0	0	0	0	0	0	4,805	13,000	8,195
Misc. Items	0	498	282	79	522	256	0	0	0	0	0	0	1,637	15,000	13,363
Burd Water Main Upgr.	0	0	0	0	0	0	0	0	0	0	0	0	0	86,000	86,000
Booster Str. Reserves	0	0	0	0	0	0	0	0	0	0	0	0	0	20,000	20,000
TOTAL WATER UTILI	882	1,310	1,060	725	1,362	1,103	0	0	0	0	0	0	6,442	134,000	127,558
Sewer Utility															
Salaries	4,147	3,650	4,619	5,227	4,150	4,107	0	0	0	0	0	0	25,900	46,000	20,100

12/1/22	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
FICA City Share	314	276	350	396	314	311							1,961	3,519	1,558
IPERS, City Share	391	345	436	493	392	388							2,445	4,342	1,897
Health Insurance	383	415	415	415	415	415							2,458	7,000	4,542
Equipment Repair	1,692	480	780	278	181	4,655							8,066	21,000	12,934
Utilities	1,021	652	583	554	370	451							3,631	6,000	2,369
Infiltration	0	0	0	0	34,144	0							34,144	50,000	15,856
Insurance	6,829	0	2,447	6,250	0	0							15,526	25,000	9,474
Legal/Engineering	0	261	0	0	331	348							940	10,000	9,060
Sales Tax	0	0	410	0	0	0							410	1,000	590
Village Upsizing	0	0	0	0	0	0							0	41,500	41,500
Administration	270	51	92	0	168	2,606							3,187	4,500	1,313
CR Hookup	15,240	15,394	15,394	15,394	15,394	15,394							92,210	184,728	92,518
Chemicals	0	0	0	0	0	0							0	500	500
Equipment	519	0	0	0	0	0							519	16,000	15,481
Office Supplies	0	0	0	0	0	0							0	3,000	3,000
Postage	320	8	0	572	8	396							1,304	2,500	1,196
Generators	0	0	0	717	26,841	0							27,558	36,932	9,374
Total Sewer Utility	31,126	21,532	25,526	30,296	82,708	29,071	0	0	0	0	0	0	220,259	463,521	243,262
TOTAL OF ALL EXPENSE	190,656	177,894	186,599	305,434	657,886	255,256	0	0	0	0	0	0	1,756,401	7,915,071	6,148,670
REVENUES															
General Fund															
Police															
Fines	5	128	24	0	208								365	1,000	635
Vehicle Salvage	680	1,080	360	840	440								3,400	6,000	2,600
American Relief Fund	0	0	0	0	0								0	0	0
FEMA Refunds	0	0	0	0	0								0	750,000	750,000
Park Rental	550	1,000	600	150	0								2,300	3,500	1,200
Ball Diamond Usage	0	150	25	0	0								175	2,000	1,825
Park Donation	0	0	0	0	0								0	0	0
Golf Carts	0	0	0	0	0								0	60	60
City Hall Rent	0	450	250	400	400								1,500	4,000	2,500
Building Permits	275	5,846	5,203	3,781	3,052								18,157	50,000	31,843
Coseco Permits	150	0	0	100	0								250	1,000	750

12/1/22	July 22	Aug 22	Sept 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	April 23	May 23	June 23	Total	Budget	Balance
Engineering Recovery	6,500	0	0	0	85,461								91,961	25,000	-66,961
Platting Fees	0	0	0	0	0								0	2,500	2,500
Interest (001-620-430)	1,157	2,546	2,386	2,489	0								8,578	10,000	1,422
Misc. Receipts	5	85	920	206	55								1,271	10,000	8,729
Beer/Liquor/Cig Permi	0	0	0	0	1,235								1,235	750	-485
RBI Receipts	0	0	0	0	0								0	0	0
Property Taxes	2,675	0	138,245	524,022	32,344								697,286	1,359,224	661,938
GENERAL TOTAL	11,997	11,285	148,013	531,988	123,195	0	0	0	0	0	0	0	826,478	2,225,034	1,398,556
ROAD USE															
Receipts	35,480	34,209	52,584	38,621	36,469									454,155	454,155
ROAD USE TOTAL	35,480	34,209	52,584	38,621	36,469	0	0	0	0	0	0	0	0	454,155	454,155
RBI RECEIPTS	0			0									0		0
LOCAL OPTION SALES TAX															
Receipts	43,156	38,096	54,234	23,118									158,604	480,000	321,396
Interest (121-950-430)	691	1,599	1,592	1,639									5,521	7,500	1,979
LOCAL OPTION TAX T	43,847	39,695	55,826	24,757	0	0	0	0	0	0	0	0	164,125	487,500	323,375
TIF															
TIF Receipts	1,016	0	84,860	325,818	15,105								426,799	874,096	447,297
TIF TOTAL	1,016	0	84,860	325,818	15,105	0	0	0	0	0	0	0	426,799	874,096	447,297
DEBT SERVICE															
Debt Service Receipts	485	0	28,308	106,827	6,415								142,035	278,935	136,900
TOTAL DEBT SERVICE	485	0	28,308	106,827	6,415	0	0	0	0	0	0	0	142,035	278,935	136,900
CAPITAL PROJECTS															
Interest (301-799-4300)	368	841	4,790	841	0									12,000	12,000
TOTAL CAPITAL PROJEC	368	841	4,790	841	0	0	0	0	0	0	0	0	0	12,000	12,000
WATER UTILITY															
Interest (600-810-4300)	85	194	188	191	0								658	1,500	842
Main Charge	0	0	2,700	750	0								3,450	7,500	4,050
CR Refund	0	0	0	0	0								0	12,000	12,000
Pipe Charge	0	0	1,200	0	0								1,200	1,500	300
WATER UTILITY TOTAL	85	194	4,088	941	0	0	0	0	0	0	0	0	5,308	22,500	17,192
SEWER UTILITY															
Interest (610-815-4300)	388	554	518	554									2,014	3,000	986
Sewer Fees	34,668	2,892	68,463	29,834	2,228								138,085	450,000	311,915
Late Fees	267	118	128	319	68								900	0	-900
Connection Fee	0	0	0	910	0								910	9,100	8,190
Sales Tax	43	80	296	66	0								485	0	-485
System Development F	0	0	0	0	0								0	0	0
SEWER UTILITY TOTAL	35,366	3,644	69,405	31,683	2,296	0	0	0	0	0	0	0	142,394	462,100	319,706
TOTAL RECEIPTS	128,644	89,868	447,874	1,061,476	183,480	0	0	0	0	0	0	0	1,707,139	4,816,320	3,109,181

RESOLUTION NO. 1222-4

RESOLUTION APPROVING APPLICATION FOR CLASS "E" LIQUOR LICENSE INCLUDING SUNDAY SALES

WHEREAS, Madi Paulsen of Casey's General Store, Inc. #3564 has applied to the City of Robins for a Class "E" Liquor License including Sunday Sales, and

WHEREAS, requirements per the State of Iowa, and Chapter 120 of the Robins Municipal Code, regulating the sale of beer, liquor, and wine, have been met.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Robins, Iowa, that the Class "Class "E" Liquor License, including Sunday Sales; Madi Paulsen doing business as Casey's General Store, Inc. #3564 is hereby approved.

PASSED AND APPROVED, this 5th day of December 2022.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk

Preparer: Doug Herman, Lynch Dallas, PC 526 Second Ave S.E. P.O. Box 2457, Cedar Rapids, IA 52406 Phone: 319.365.9101 Email: dherman@lynchdallas.com Return To: Same

RIGHT OF WAY AGREEMENT

KNOW ALL BY THESE PRESENTS:

That the City of Robins, Iowa (hereinafter referred to as "Grantor") and Unite Private Networks, LLC (hereinafter referred to as "Grantee") upon final approval and acceptance of this Right of Way Agreement (this "Agreement"), does hereby convey unto the Grantee the rights to utilize City Right of Way consistent with the terms and provisions set forth below, and will issue a Permit as requested by Grantee's contractor.

ARTICLE I

1. **Project Description:** Grantee proposes to install fiber within City Right of Way consistent with a Right of Way Permit Application and a Plan Set, a copy of same being appended hereto, and by this reference incorporated as is same had been set forth fully verbatim herein. (hereinafter referred to as "Plans") (Project identified by Grantee as "USCC 32506 293340 Robins", UPN-4992) (hereinafter referred to as "Project")
2. **Property subject to Right of Way Agreement:** The Project is proposed to be constructed, consistent with the Plans in City Right of Way generally described as: Robins Road, W. Main Street, and N. Troy Road, more specifically shown by the Plans.
3. **Right of Access.** Grantee, grantee's contractors and assigns, shall have free unfettered access to the area required to install the Installations within the right of way as described herein and as shown by the Plans for the purposes set forth herein.
4. **Construction and Maintenance of "Installations".** The Grantee, it's contractors and/or assigns, shall be solely responsible for all costs associated with the construction, reconstruction, repair, alteration, maintenance, and inspection of the Installations. ("Installations" to be defined as all infrastructure installed in the right of way by or at the direction of the Grantee.)

- a. **Underground Facilities.** All facilities constructed pursuant to the easements set forth in Article I above shall be underground except as approved otherwise by Grantor in its sole and absolute discretion.

Grantee, its contractors and/or assigns shall be both entitled to and responsible for the continued maintenance of the Installations and shall be permitted to enter upon or otherwise access the right of way identified herein to maintain said installations.

5. **Maintenance of Right of Way.** The Grantor shall be responsible for the maintenance of the right of way, including mowing, removal of weeds, and similar maintenance. Grantee agrees that all Installations shall be installed in such a way as to not interfere with or impede Grantor's ability to maintain the right of way.
6. **Consideration.** Grantor and Grantee agree that the use of the Right of Way by Grantee and the benefit of the Installations to Grantor and the community in general are mutually beneficial and support the rights granted herein by Grantor to Grantee.
7. **Approval by Grantor.** This Agreement shall not be binding until it has received the final approval and acceptance by Resolution of the Robins City Council.
8. **Non-Exclusivity.** Grantee acknowledges that the rights to utilize the right of way granted herein are not exclusive to Grantee, that Grantor may grant right so utilize said right of way to any other party or entity subject to the following exception:
 - a. Grantor may not grant any other party or entity any rights to utilize the Installations installed by Grantee for Grantee's purposes.
 - b. Grantor shall have the right to use the Right of Way in any manner that is not inconsistent with Grantee's use of the Right of Way for the purposes granted herein.
9. **Relocation of Installations.** Grantee acknowledges that Grantor has the right to demand the relocation of Grantee's installations if determined if and/or when determined by Grantor, in Grantor's sole discretion, to be in the way of public infrastructure maintenance, repairs, improvements, or relocation.
 - a. Grantee agrees to remove, relocate, or to take such other steps determined to be necessary and appropriate regarding the installations, within thirty (30) days of the demand and direction of Grantor, with the agreement and consent of Grantor, within a reasonable time after such demand.
 - b. Grantee acknowledges that Grantor has informed Grantee of a likely Grantor project, specifically including potential water main installation, in the right of way where Grantee intends to install "installations".
 - i. While Grantor and Grantee have worked to minimize potential conflicts between Grantee's proposed installations and Grantor's anticipated installations, Grantee acknowledge that it is possible Grantor's installations may require the relocation, temporary or permanent, of Grantee's installations and further acknowledges their continuing obligation to move, relocate, etc., its' installations upon the request of the Grantor.

10. **Pre-Construction Meeting(s):** Grantee agrees to actively participate in any pre-construction meetings related to future City projects and installations and Grantor agrees to notify Grantee in advance of said meetings. (Should Grantee participation appear unnecessary, Grantor may waive Grantee's presence.)

11. **Notice.** Any notices herein shall be delivered as follows:

a. To Grantor	To Grantee
City of Robins, Iowa	Unite Private Networks
Attn.: Public Works Dpt.	Attn.: VP Real Estate
265 South Second Street	1511 Baltimore Avenue
Robins, IA 52328	2 nd Floor
	Kansas City, MO 64108

Email: _____
Phone: _____

Email: legaldept@upnfiber.com
Phone: 816.903.9400

b. Grantor and Grantee agree to update addresses and contact information as appropriate.

12. **Entire Agreement.** This agreement constitutes the entire agreement between the parties relative to the use of the right of way defined herein for purposes of the installations described herein. There is no agreement to do or not to do any act or deed within the right of way except as specifically set forth herein.

13. **Indemnity.** Grantor and Grantee shall indemnify, defend, and hold each other harmless of, from, for and against any and all demands, claims, losses, liabilities, damages, costs, and fees (including without limitation reasonable attorneys' fees) arising from each party's use of the right of way consistent with the provisions set out within this agreement. The indemnification obligations shall survive the abandonment or termination of this right of way agreement.

14. **Changes to be in Writing / Waiver.** None of the covenants, provisions, terms or conditions of this Agreement shall be modified, waived or abandoned, except by a written instrument duly signed by the parties.

15. **Construction.** Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender according to the context.

16. **Jurisdiction / Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa (without giving effect to the laws of such state in relation to choice of laws). Any controversy or claim arising out of or relating to this Agreement, or the alleged breach thereof, shall be presented to or tried to the Iowa District Court in and for Linn County, Iowa.

17. **ELECTRONIC COUNTERPARTS.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile copies, electronic scans and photocopies of the parties' signatures to this Agreement shall be valid and enforceable to the same

extent as original signatures, and the parties hereby waive any requirement that the original signatures be produced as a condition of proving the validity of, or otherwise enforcing, this Agreement.

Grantor does HEREBY COVENANT with Grantee that Grantor has good and lawful authority to grant use of the right of way as set out herein; and said Grantor covenants to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF I have hereunto affixed my hand this _____ day of _____, 2022.

Grantor: City of Robins, Iowa

By: _____
Chuck Hinz, Mayor

STATE OF IOWA)
) §
COUNTY OF LINN)

On this ____ day of _____, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Chuck Hinz and Lori Pickart, Mayor and City Clerk, respectively, for the City of Robins, Iowa, known to me to be the identical persons named herein who executed the foregoing instrument, and acknowledged that they executed the same in their respective capacities as Mayor and City Clerk, both as their voluntary act and deed and the voluntary act and deed of the City of Robins, Iowa.

Notary Public in and for said State of Iowa

IN WITNESS WHEREOF I have hereunto affixed my hand this 4th day of November, 2022.

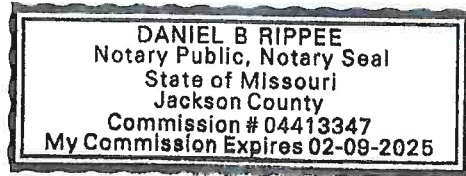
Grantee: Unite Private Networks, LLC

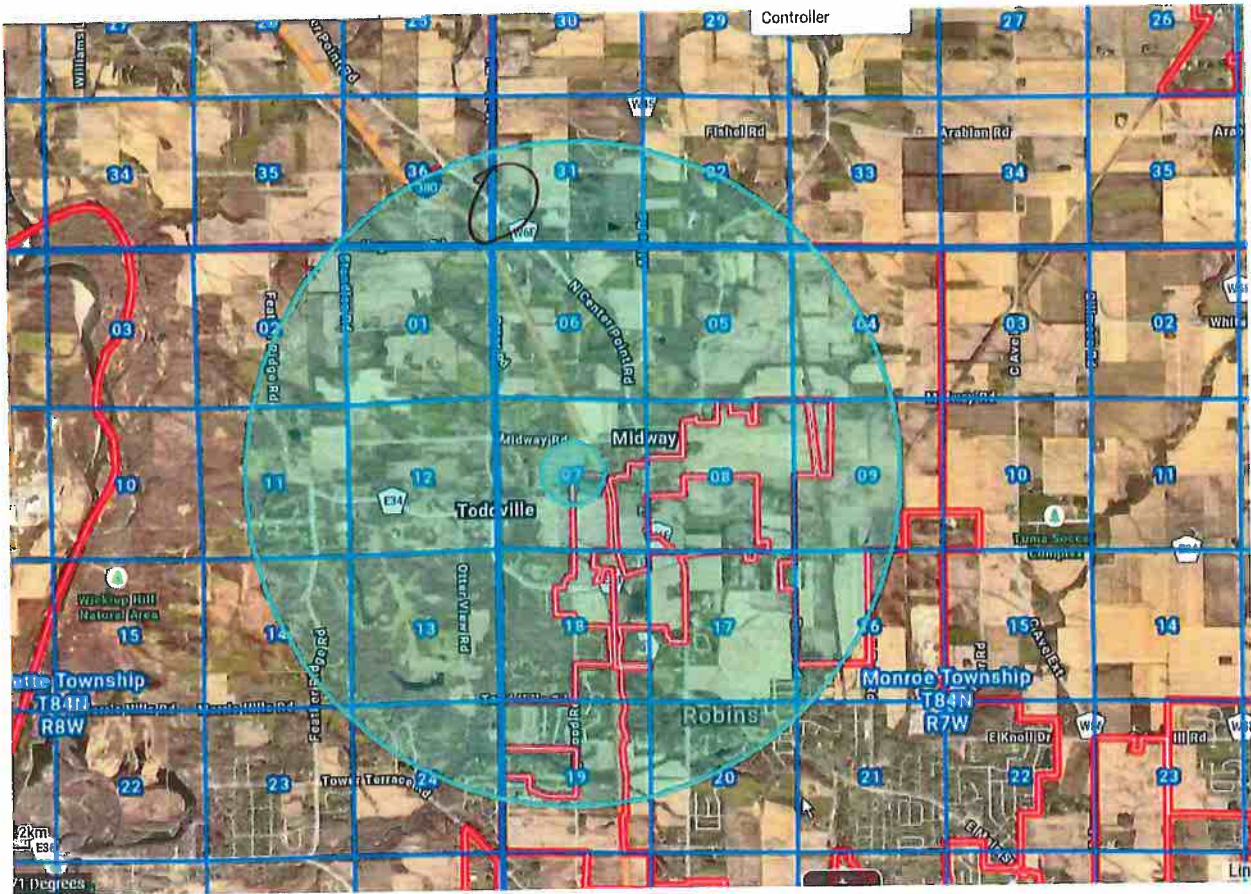
By: Charlene A. White
Charlene White, VP Real Estate

STATE OF MISSOURI)
) §
COUNTY OF JACKSON)

On this 4th day of November 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Charlene White, VP Real Estate, for Unite Private Networks, LLC, known to me to be the identical person named herein who executed the foregoing instrument, and acknowledged that she executed the same in her respective capacity as VP Real Estate, as the voluntary act and deed of Unite Private Networks, LLC.

Daniel B. Rippee
Notary Public in and for said State of Missouri





RESOLUTION NO. 1222-1
RESOLUTION APPROVING PLAT

WHEREAS, A PLAT OF THE KELLOGG ACRES ADDITION TO LINN COUNTY, IOWA, containing three lots, numbered 1,2, and 3, has been filed with the City Clerk, and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the approval of the City of Robins, Iowa.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that said plat and dedication of said Kellogg Acres Addition to Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Robins, Iowa, and the Mayor and the City Clerk are hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED AND APPROVED this 5th day of December, AD, 2022.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

STATE OF IOWA)
) Ss
LINN COUNTY)

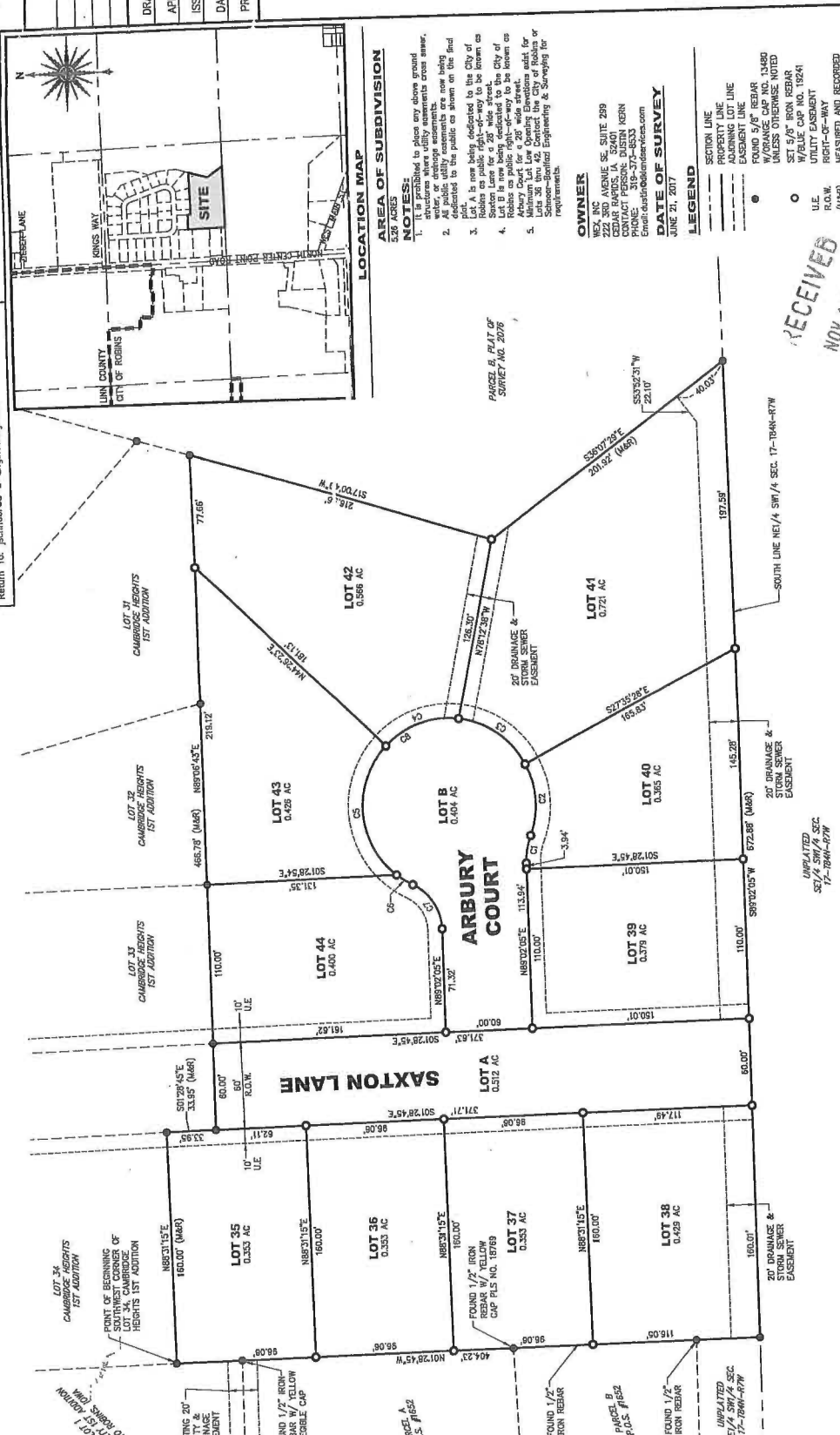
We, Chuck Hinz, Mayor, and Lori Pickart, City Clerk/Treasurer of the City of Robins, Iowa, do hereby certify that the above and foregoing resolution is a true and correct copy of the resolution as passed by the City Council of the City of Robins, Iowa on this 5th day of December AD, 2022.

Chuck Hinz, Mayor

Lori Pickart, City Clerk/Treasurer

FINAL PLAT CAMBRIDGE HEIGHTS SECOND ADDITION TO ROBINS, IOWA

INDEX LEGEND
Parcel A, Plat of Survey No. 2076
NE 1/4 SW 1/4, Sec. 17-84-7
Requestor: Wes, Inc.
Proprietor: Wes, Inc.
Surveyor: Jed Schnoor
Company: Schnoor-Bonifazi Engineering & Surveying, L.C.
431 Fifth Avenue SW, Cedar Rapids, IA, 52404
PH: 319-298-8888
Return To: jbschnoor@S-B-Engineering.com



AREA OF SUBDIVISION
5.28 ACRES

NOTES:

- It is prohibited to place any stone, gravel, water, or drainage easements across sewer, water, or utility easements.
- All public utility easements shall be shown on the final plat.
- It is the policy of the City of Robins to dedicate to the City of Robins a public right-of-way to be known as Saxton Lane for a 20' wide street.
- It is the policy of the City of Robins to dedicate to the City of Robins a public right-of-way to be known as Arbury Court for a 20' wide street.
- Minimum Lot Area: 0.267 acres. Contact the City of Robins or Schnoor-Bonifazi Engineering & Surveying for requirements.

OWNER
WES, INC.
222 3RD AVENUE SE, SUITE 209
CEDAR RAPIDS, IA 52407
PHONE: 319-298-8888
FAX: 319-372-8833
Email: ds@bonifazi.com

DATE OF SURVEY
JUNE 21, 2017

LEGEND
SECTION LINE
ADJOINING LOT LINE
EASEMENT LINE
FOUND 5/8" IRON REBAR
W/DRAINAGE CAP NO. 1489
FOUND 5/8" IRON REBAR
W/VALE CAP NO. 18241
UTILITY EASEMENT
R.O.W.
MEASURED AND RECORDED
DISTANCE AND BEARING
(M&R)

Schnoor-Bonifazi
ENGINEERING & SURVEYING, L.C.
431 FIFTH AVENUE SW
CEDAR RAPIDS, IA 52404
(319) 298-8888 (PHONE)
s-b-engineering.com

REVISIONS

DRAWN: JED SCHNOOR
APPROVED: JED SCHNOOR
ISSUED FOR: APPROVAL
DATE: 11/11/2022
PROJECT NO.: 21129

FINAL PLAT CAMBRIDGE HEIGHTS SECOND ADDITION TO ROBINS, IOWA

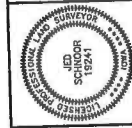
FINAL PLAT

1 OF 1

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: *Jed Schnoor* DATE: 11/11/2022
JED SCHNOOR
15241

ANY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.



RECEIVED
NOV 11 2022

LEGAL DESCRIPTION
CAMBRIDGE HEIGHTS SECOND ADDITION TO ROBINS, IOWA is that part of Parcel A, Plat of Survey No. 2076, Robins, Linn County, Iowa, described as follows:
Beginning at the Southwest corner of Lot 34, Cambridge Heights First Addition to the City of Robins, Iowa; thence South 01° 28' 45" West 494.25 feet along the West line of said Parcel A to the Point of Beginning; thence South 01° 28' 45" West 494.25 feet along the West line of said Parcel A to the Point of Beginning; thence North 01° 28' 45" East 488.78 feet along the South line of Cambridge Heights First Addition to the Point of Beginning; thence North 01° 28' 45" West 494.25 feet along the West line of said Parcel A to the Point of Beginning; thence South 01° 28' 45" West 494.25 feet along the West line of said Parcel A to the Point of Beginning; thence North 01° 28' 45" East 488.78 feet along the South line of Cambridge Heights First Addition to the Point of Beginning; thence North 01° 28' 45" West 494.25 feet along the West line of said Parcel A to the Point of Beginning.

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	13.54'	60.00'	N 79°31'13" W	19.22'
C2	31.08'	60.00'	N 85°48'00" E	49.56'
C3	57.42'	60.00'	N 34°59'34" E	58.25'
C4	85.64'	60.00'	S 33°08'11" W	53.97'
C5	100.33'	60.00'	S 86°32'14" W	86.04'
C6	132.07'	60.00'	S 26°19'57" W	131.17'
C7	38.48'	35.00'	N 57°31'57" E	36.58'
C8	277.68'	60.00'	N 21°23'21" W	88.36'



November 9, 2022

Attn: Planning and Zoning Commission
City of Robins
265 South Second Street
Robins, IA 52328

RE: CAMBRIDGE HEIGHTS 2ND ADDITION - FINAL PLAT REVIEW

Dear Planning and Zoning Commission:

The Final Plat for Cambridge Heights 2nd Addition has been reviewed as requested. We find it to be in general conformance with the City requirements and therefore recommend approval contingent on the reconfiguration of the pavement jointing at the transition into the cul-de-sac.

Sincerely,

SNYDER & ASSOCIATES, INC.

Kelli Scott, P.E.
Project Manager

cc: Dustin Kern, WEX
Lori Pickart City Clerk
Jed Schnoor, Schnoor-Bonifazi

RESOLUTION No. 1222-2

RESOLUTION APPROVING FINAL PLAT

WHEREAS, A FINAL PLAT OF THE CAMBRIDGE HEIGHTS SECOND ADDITION TO ROBINS, IOWA, containing Ten (10) lots, numbered 1 through 10, both inclusive, has been filed with the City Clerk on November 11, 2022, and after consideration of the same, is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the Ordinances of the City of Robins, in relation to Plats and Additions to Cities,

NOW, THEREFORE, BE IT FINALLY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that said plat of the Cambridge Heights Second Addition to the City of Robins, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Robins, Iowa.

PASSED AND APPROVED this 5th day of December, 2022.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

STATE OF IOWA)
) ss
COUNTY OF LINN)

We, Chuck Hinz, Mayor, and Lori Pickart, City Clerk of the City of Robins, Iowa, do hereby certify that the above and foregoing resolution is true and a correct copy of the resolution as passed by the City Council of the City of Robins, Iowa on 5th of December A.D., 2022.

Chuck Hinz, Mayor

Lori Pickart, City Clerk/Treasurer

**AMENDMENT NO.1
DEVELOPER'S AGREEMENT 2021-2**

This Amendment No. 1 is entered into by and between the City of Robins, Iowa, (hereinafter referred to as the CITY) and Forge Inc. (hereinafter referred to as the OWNER), and

WHEREAS, the original Developer's Agreement 2021-2 was recorded with Linn County on February 2, 2022,

WHEREAS, the OWNER has constructed the "Drawings of Proposed Improvements for **EAGLE VIEW LAND ADDITION**" (hereinafter referred to as the PROJECT) in the City of Robins, Iowa;

NOW, THEREFORE, in consideration of the mutual obligations contained in this Developer's Agreement, the parties hereto agree as follows:

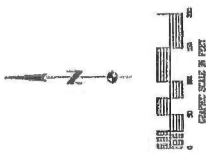
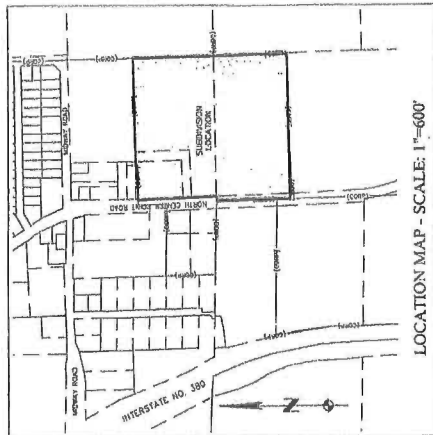
1. The OWNER is requesting materials to remain stockpiled on-site for use on the PROJECT and other locations within the CITY until May 30, 2024;
 - a. The allowed stockpiled materials are as follows:
 - i. Topsoil
 1. Sufficient topsoil stockpile (southern location) shall remain on-site for the duration of building construction within the PROJECT to ensure a minimum of 6" topsoil depth respread throughout the site.
 2. Topsoil in excess of the required minimum of 6" may be hauled to other sites (northeastern location).
 - ii. Crushed Rock
 - iii. Asphalt Millings
 - b. On-site equipment, excavator, end loader, etc., shall be allowed to remain on-site for purposes of on-site maintenance and out loading the materials for off-site hauling.
 - c. All stockpiled material, with the exception of the southern topsoil stockpile, and equipment shall be removed from the PROJECT by May 30, 2024.
 - i. Removal shall be defined as no excess material piles on-site greater than 18" above finished grade.
2. Personal vehicles, semi-tractors and trailers, owned and operated by Boomerang Corp, Inc. and its' employees may park on Lot 1 for a duration of no more than 48 consecutive hours, unless granted prior authorization by the CITY. Failure to comply may result in the vehicles being towed at Boomerang Corp, Inc. expense.
3. The OWNER shall not import any additional materials to the site for stockpiling.
4. The OWNER agrees to forgo payment for the upsizing of materials as defined in Section 10.a of the Developer's Agreement 2021-2 for failure to meet the requirements of Section 1 of this amendment document.
5. The CITY agree to submit payment for the upsizing of materials as defined in Section 10.a of the Developer's Agreement 2021-2 within 30 days of the OWNER fulfilling the obligations in Section 1 of this amendment document.
6. This agreement shall be binding on all heirs, successors, and assigns of the OWNER.

FINAL PLAT

EAGLE VIEW FIRST ADDITION IN THE CITY OF ROBINS, LINN COUNTY, IOWA

A RESUBDIVISION OF LOT 1 OF BARNHART FIRST ADDITION AND LOTS 1 AND 2 OF BARNHART SECOND ADDITION AND ALSO INCLUDING PARCEL 'B' OF PLAT OF SURVEY NO. 211

INDEX LEGEND
 Barnhart First Addition, Barnhart Second Addition, Eagle View First Addition, Parcel 'B' of Plat of Survey No. 211
 Requestor: EAGLE VIEW LAND DEVELOPMENT, INC.
 Surveyor: GREGG E. SWANSON, P.L.S.
 Compiler: HALL & HALL ENGINEERS, INC.
 HAWAIA, IOWA 52233
 Return to: SUSAN@HALLENGINEERS.COM



OWNER/APPLICANT:
 EAGLE VIEW LAND DEVELOPMENT, INC.
 2000 WEST 10TH STREET
 HAWAIA, IOWA 52234
 (515) 462-4422

RECEIVED
 NOV 11 2022

SURVEY LEGEND

- SET 1/2" REBAR W/ YELLOW PLASTIC CAP NO. 14208
- ▲ FB ALIGNMENT AS NOTED
- RECORD AS SHOWN
- () PLAT LOT LINE
- 1/4-1/4 SECTION LINE
- 100 FT ---

LEGAL DESCRIPTION

LOT ONE (1) OF BARNHART FIRST ADDITION
 AND
 LOTS ONE (1) AND TWO (2) OF BARNHART SECOND ADDITION
 AND
 PARCEL 'B' OF PLAT OF SURVEY NO. 211
 ALL OF THE ABOVE IN THE CITY OF ROBINS, LINN COUNTY, IOWA
 RESUBDIVISION CONTAINS 44.66 ACRES.

NOTES:

DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 REFERENCE ARE MADE TO RECORD (2015) EDITION, 2015 IOWA STATE PLAT BOOK, NORTH ZONE, AS OBSERVED USING THE LEICA TOTAL STATION NETWORK.
 DATE OF SURVEY FIELD WORK: 4/1/2022
 LOT A AND LOT B ARE BEING PROPOSED TO THE CITY OF ROBINS AT THIS TIME AS PUBLIC ROAD RIGHT OF WAY.
 LOT C TO BE USED AS RESIDENTIAL STORM WATER MANAGEMENT TO BE PROVIDED BY AND PROPERTY TO BE LOCATED WITHIN THE BLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 191112C0202E, WHICH BEARS DATE OF JULY 20, 2021.
 EXISTING PROPERTY ZONING: C-2 (RESIDENTIAL COMMERCIAL)
 PROPOSED ZONING: C-2 (RESIDENTIAL COMMERCIAL)
 PROPOSED ARE SUBJECT TO CHANGE.

REBINS APPROVING AUTHORITY:

DATE: _____

 CITY ENGINEER

 CITY CLERK

 CITY COMMISSIONER

REBINS APPROVING AUTHORITY:

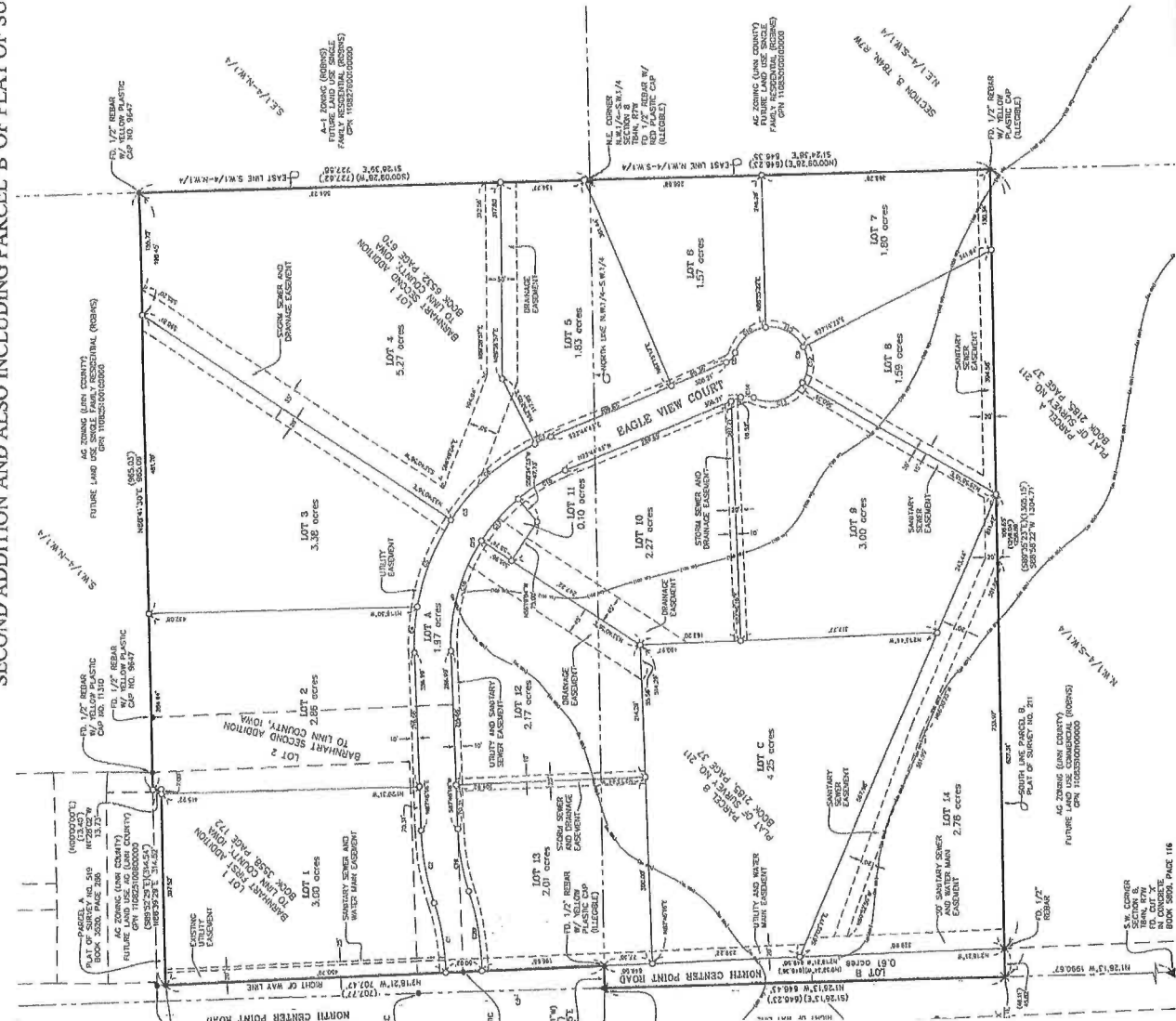
DATE: _____

 CITY ENGINEER

 CITY CLERK

 CITY COMMISSIONER

Curve	Delta	Tangent Length	Radius	Chords	Chord By
C1	17° 29' 38"	156.37	1028.07	192.52	8897.37 107°
C2	17° 29' 38"	156.37	1028.07	192.52	8897.37 107°
C3	18° 29' 38"	169.43	1028.07	192.52	8897.37 107°
C4	18° 29' 38"	169.43	1028.07	192.52	8897.37 107°
C5	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C6	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C7	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C8	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C9	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C10	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C11	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C12	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C13	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C14	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C15	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C16	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C17	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C18	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C19	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°
C20	17° 54' 18"	171.85	1028.07	192.52	8897.37 107°





November 9, 2022

Attn: Planning and Zoning Commission
City of Robins
265 South Second Street
Robins, IA 52328

RE: EAGLE VIEW LAND ADDITION - FINAL PLAT REVIEW

Dear Planning and Zoning Commission:

The Final Plat for Eagle View Land Addition has been reviewed as requested. We find it to be in general conformance with the City requirements and therefore recommend approval contingent on the completion of the punch list dated 11/9/22.

Sincerely,

SNYDER & ASSOCIATES, INC.

Kelli Scott, P.E.
Project Manager

cc: Bryce Ricklefs, Ricklefs Excavating
Lori Pickart City Clerk
Susan Forinash, Hall & Hall Engineers, Inc.

RESOLUTION NO. 1222-3

RESOLUTION APPROVING FINAL PLAT

WHEREAS, A FINAL PLAT OF THE EAGLE VIEW FIRST ADDITION TO ROBINS, IOWA, containing Ten (14) lots, numbered 1 through 14, both inclusive, and Lot C, has been filed with the City Clerk on November 11, 2022, and after consideration of the same, is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the Ordinances of the City of Robins, in relation to Plats and Additions to Cities,

NOW, THEREFORE, BE IT FINALLY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA, that said plat of the Eagle View First Addition to the City of Robins, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Robins, Iowa.

PASSED AND APPROVED this 5th day of December, 2022.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

STATE OF IOWA)
) ss
COUNTY OF LINN)

We, Chuck Hinz, Mayor, and Lori Pickart, City Clerk of the City of Robins, Iowa, do hereby certify that the above and foregoing resolution is true and a correct copy of the resolution as passed by the City Council of the City of Robins, Iowa on 5th of December A.D., 2022.

Chuck Hinz, Mayor

Lori Pickart, City Clerk/Treasurer

DEVELOPER'S AGREEMENT 2022-3

This Developer's Agreement is entered into by and between the City of Robins, Iowa, (hereinafter referred to as the CITY) and Robins Landing First Addition, LLC (hereinafter referred to as the OWNER), and

WHEREAS, the OWNER has approval by the CITY to construct the "Drawings of Proposed Improvements for **ROBINS LANDING NORTH, ROBINS LANDING SOUTH AND ROBINS ROAD WATER MAIN EXTENSION**" (hereinafter referred to as the PROJECT) in the City of Robins, Iowa, and

WHEREAS, Exhibit A (attached) is the Preliminary Plat, Robins Landing First Addition approved February 22, 2022; and

WHEREAS, Exhibits B.1, B.2 and B.3 (attached) indicate the location and extent of the water main and sanitary sewer mains to be constructed with the PROJECT; and

WHEREAS, the CODE is the Robins' City Code of Ordinances, which is by this reference incorporated herein, and

WHEREAS, Exhibit C (attached) the LANDING is the Robins Landing Concept dated November 22, 2021 encompassing approximately 400 acres within the Robins City Limits; and

WHEREAS, the PLAN is the Comprehensive Infrastructure Plan, adopted on March 15, 2021; and

WHEREAS, the OWNER is the owner of record of the property as described in the Final Plat, Robins Landing First Addition, which is by this reference incorporated herein, and

WHEREAS, the approved plan meets applicable design standards;

NOW, THEREFORE, in consideration of the mutual obligations contained in this Developer's Agreement, the parties hereto agree as follows:

1. The OWNER shall construct the PROJECT per the Statewide Urban Design and Specifications (SUDAS);
2. The PROJECT will develop 92 acres of land within the CITY to be zoned as follows;
 - a. Multi-Family PUD – 7.20 Acres (estimated 72 units)
 - b. Planned Light Industrial (PLI) – 18.14 Acres (estimated 4 lots)
 - c. Public Use (P-1) – 16.76 Acres
 - d. Neighborhood Commercial (C-1A) – 1.66 Acres (estimated 2 lots)
 - e. Business Commercial (C-1) – 21.93 Acres (estimated 14 lots)
 - f. Medium Density Two-Family Residential (R-3) – 26.12 Acres (estimated 97 lots/units)
3. WHEREAS, The PROJECT includes a PUD zoning designation with the following minimum requirements;

- a. PUD Bulk Regulations
 - i. Maximum of four (4) units in a continuous row per building
 - ii. 4 UNIT TOWNHOMES (PUD):
 - 1. Front yard setback: 20 feet
 - 2. Side yard Setback for end units: 10 feet
 - 3. Side yard setback for interior units: 0 feet
 - 4. Corner side yard setback: 15 feet
 - 5. Rear yard setback: 25 feet
 - 6. Maximum building height: 45 feet
 - 7. Minimum lot width: 25 feet per dwelling unit
 - 8. Minimum lot area for interior units: 2,500 sf per DU
 - 9. Minimum lot area for end units: 4,500 sf per DU

- b. Other Standards
 - i. No fence shall be allowed in the front yard.
 - ii. No on-street parking shall be allowed.
 - iii. No detached garages shall be allowed.
 - iv. There shall be at least one entrance per unit facing the street.

- 4. WHEREAS, The CITY is granting a variance to the 10' side yard setback within the R-3 zoning designation to 7.5' to allow for 3-car garages on a 65' lot as requested by the OWNER.
- 5. WHEREAS, The PROJECT requires public sanitary sewer service and gravity sanitary sewer main, previously constructed by the CITY, is available within the PROJECT limits;
 - a. WHEREAS The PROJECT requires an 8" sanitary sewer main to meet the service demands for the PROJECT;
 - b. The CODE requires the OWNER to pay sanitary sewer development fees (\$3,000 per acre) for commercial property in the amount of **\$276,000** (\$3,000 x 92 Acres), to be paid upon Final Plat acceptance;
 - c. The CODE requires the OWNER to pay sanitary sewer connection fees of \$9,500 per acre for Industrial Use, \$3,000 per acre for Commercial Use, \$870 per unit for Multi-Family Residential Use and \$910 per unit for Single-Family Residential Use in the amount of **\$394,010**, to be paid upon issuance of a building permit;
 - i. Multi-Family PUD – \$62,640 (\$870 x 72 Units)
 - ii. Planned Light Industrial (PLI) – \$172,330 (\$9,500 x 18.14 Acres)
 - iii. Public Use (P-1) – 16.76 Acres
 - iv. Neighborhood Commercial (C-1A) – \$4,980 (\$3,000 x 1.66 Acres)
 - v. Business Commercial (C-1) – \$65,790 (\$3,000 x 21.93 Acres)
 - vi. Medium Density Two-Family Residential (R-3) – \$88,270 (\$910 x 97 Lots)

6. WHEREAS, The PROJECT requires public water service and water main is NOT available within the PROJECT limits;
 - a. The PROJECT requires 12” and 8” water main to meet the service demands for the PROJECT;
 - b. The CODE requires the OWNER to pay water service connection fees of \$2,000 per acre for Non-Residential Use and \$750 per dwelling unit for Residential Use in the amount of **\$210,210**, to be paid upon issuance of a building permit;
 - i. Multi-Family PUD – \$54,000 (\$750 x 72 Units)
 - ii. Planned Light Industrial (PLI) – \$36,280 (\$2,000 x 18.14 Acres)
 - iii. Public Use (P-1) – 16.76 Acres
 - iv. Neighborhood Commercial (C-1A) – \$3,320 (\$2,000 x 1.66 Acres)
 - v. Business Commercial (C-1) – \$43,860 (\$2,000 x 21.93 Acres)
 - vi. Medium Density Two-Family Residential (R-3) – \$72,750 (\$750 x 97 Lots)
7. WHEREAS, The OWNER must reserve parkland for Public Use at a rate of 0.006 Acres per person;
 - a. The CODE requires the OWNER to reserve 2.43 Acres of parkland;
 - i. Multi-Family PUD – 0.70 Acres (estimated 116 persons)
 - ii. Medium Density Two-Family Residential (R-3) – 1.73 Acres (estimated 289 persons)
 - b. The OWNER is reserving 15.79 acres of green space for PROJECT;
 - i. 11.79 acres of parkland
 - ii. 4 acres of stormwater detention
 - c. The LANDING requires 16 acres of parkland reservation;
 - i. Multi-Family PUD – 3.88 Acres (estimated 1292 persons)
 - ii. Medium Density Two-Family Residential (R-3) – 12.02 Acres (estimated 2003 persons)
8. WHEREAS, The OWNER shall construct sufficient stormwater management facilities for the PROJECT
 - a. The OWNER shall construct the detention basins with the option of a wet basin as long as there is sufficient depth, size and control structures to ensure the basin is an amenity and not a nuisance.
9. WHEREAS, The OWNER shall construct a left turn lane on Robins Road at the entrance of Hampton Drive per the Traffic Impact Study (TIS) prepared by the OWNER’S Engineer.
 - a. The CITY and OWNER shall coordinate with Linn County whether to relocate the Cedar Valley Nature Trail crossing to the Hampton Road entrance onto Robins Road.
 - i. Any financial implications to either party shall be determined through an amendment to this agreement.

10. WHEREAS, The CITY has agreed to support the PROJECT and purchase the Public Parkland under the following provisions;
- a. The OWNER shall construct the off-site public water service infrastructure serving the Public Parkland including, but not limited to, the segment of Hawkeye Drive traversing the property, 40 stall parking lot, water main, storm sewer, sanitary sewer, 11.79 acres of land, and the trail connection between Hawkeye Dr. to the CVNT, in exchange for the purchase of the Public Parkland,
 - b. The OWNER shall allow provisions for easy access to the parkland from all areas of the PROJECT.
 - c. The CITY will purchase 11.79 acres of Public Parkland for \$1,600,000 over a period of 4 installments.
 - i. The first installment shall be made upon completion and acceptance of the off-site water main, but no sooner than July 1, 2023
 - ii. The second installment shall be made upon completion and acceptance of the PROJECT, but no sooner than July 1, 2024
 - iii. The third installment shall be made upon acceptance of the Final Plat, but no sooner than July 1, 2025
 - iv. The fourth installment shall be made upon completion of 80% of the residential lots (R-3 and PUD, estimated 135 dwelling units) to having structures, but no sooner than July 1, 2026
 1. The OWNER shall ensure 80% of the residential lots to have final occupancy within 6 years of Final Plat acceptance, failure to perform shall result in forfeiture of the 4th and final payment.
 - d. The CITY will update the CODE Chapter 166.33 Park and School Reservations to implement a \$500 per Lot/Dwelling Unit Parkland Development Fee, exclusive of the PROJECT, in lieu of the dedication of Public Parkland, and shall be applied to all zoning classifications.
 - e. The CITY will take ownership of the stormwater detention basins within the PROJECT to ensure satisfactory safety, upkeep and appearance is maintained.
 - f. The CITY will construct a trail along the Stamy Road ROW as well as adjacent to the ITC power lines to provide connectivity from the Wildflower and Chester subdivisions to the LANDING. Planning for both projects is currently underway with an expected construction date of FY24
11. WHEREAS, The CITY is requesting the off-site water main to be 16” DIP and portions of the 12” PVC water main required for the PROJECT to be upsized to 16” DIP in accordance with the PLAN;
- a. The CITY shall allow 16” PVC water main in lieu of 16” DIP water main due to supply chain issues resulting in a 70+ week delay for procurement of the materials and significant material cost increases,
 - b. The OWNER shall construct the off-site water main and the water main required for the PROJECT, inclusive of upsizing costs, with an *estimated value of \$911,000* in exchange for the CITY waiving the sanitary sewer development fees (\$276,000) and sanitary sewer connection fees (\$394,010) in Part 3 and the water service connection fees

(\$210,210) in Part 4 (*\$880,220 in fees*) and providing the off-site public water service design documents,

- c. The OWNER shall install an automatic flushing device and a meter (purchased from City of Cedar Rapids) at the end of Ingram Circle. All costs associated with flushing the water mains are the responsibility of the OWNER.
 - d. The CITY will pay the material supplier directly, upon receipt of the invoice showing the actual material upsize costs, for the upsize from 12" PVC to 16" PVC estimated to be \$270,000.
 - e. Water services shall be constructed to existing properties along Robins Road, per Cedar Rapids Supplement to SUDAS.
12. The OWNER shall form a legal entity (LLC, non-profit, etc.) hereinafter referred to as the ASSOCIATION, for the PROJECT, of which will be responsible to uphold the associated covenants, conditions and restrictions in accordance with Chapter 166.07 of the CODE.
- a. The OWNER shall provide a copy of all covenants, conditions and restrictions for the PROJECT that must be approved by the CITY and recorded into the land record at the time of final plat or site plan approval.
 - i. The ASSOCIATION shall include all deedholder(s) within the development hereinafter referred to HOLDER(S)
 - ii. Required document language:
 - 1. Obligation of the HOLDER(S). ASSOCIATION hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties having any right, title or interest in the properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each HOLDER(S) thereof.
 - 2. Right of CITY to Compel Performance. In the event that any portion of the PROJECT described above shall not be preserved and maintained in the City's opinion in a safe condition and in a state of good repair and aesthetically pleasing appearance, the City may, after giving notice to the ASSOCIATION, cause (i) the necessary work of maintenance or repair to be accomplished, and (ii) the costs thereof to be assessed against the ASSOCIATION.
- Following the completion of such work or payment of such sums by the CITY, the CITY shall determine the total cost of such work or payment, including incidental costs, mailing fees and reasonable attorneys' fees and shall deliver to the ASSOCIATION a written statement setting forth such costs and the total thereof.
- In the event the ASSOCIATION shall fail to pay for the completion of such work, the CITY may take legal action to collect the total cost of such work from the HOLDER(S) within the development.

Costs incurred by the CITY in exercising any of its rights may be added to the cost of the work described above, and then charged to each HOLDER(S) of a Lot proportionately.

3. Amendments. No amendment, modification or revocation to the covenants, conditions and restrictions may be had without the express written consent of the CITY, which consent must be recorded in the official records of Linn County, Iowa.

iii. Covenants

1. Minimum 1,350 sf on main level
 2. Maximum accessory building size to be 120 sf
 3. No exterior parking pads within the side yard setback shall be allowed.
- b. The OWNER may collect water and sewer connection fees from the HOLDER, as deemed appropriate at time of ownership transfer.
- c. The OWNER shall provide a formal maintenance covenant for the maintenance of all private infrastructure and common areas, not owned by the CITY, that must be approved by the CITY and recorded into the land record at the time of final plat or site plan approval.
- i. The OWNER shall be responsible for all costs associated with the construction, repair, replacement and maintenance of the privately owned infrastructure within the PUD,
 1. Infrastructure within the PUD, including but not limited to, streets shall be privately owned and maintained,
 2. Each principal building unit shall have separate City and private services and metering systems.
 - ii. The OWNER shall grant the CITY a Permanent Utility Easement for the water, sanitary sewer and storm sewer. The OWNER hereby agrees to be responsible for restoration of surface improvements on the property described above affected by water main and sanitary sewer reconstruction, maintenance or repairs by the City and the City's employees, agents, representatives, and authorized parties, as follows:
 1. The OWNER shall be responsible for costs associated with removal and replacement of private improvements located within public utility easements deemed necessary by the City for construction, reconstruction, or maintenance of public water main facilities located on this site.
 2. The City shall be responsible for temporary surface restoration to maintain access upon completion of repairs. Temporary surface restoration may include cold patch asphalt, granular material, or other depending on schedule and availability of materials.
 3. That OWNER agrees to protect, defend, and hold the City harmless from any and all damages or claims for damages that might arise or accrue as a result of CITY acceptance and recording of this agreement.

4. Erection of Structures Prohibited. OWNER shall not erect any landscaping or structure over or within the easement area without obtaining the prior written approval of the City.
5. Change of Grade Prohibited. OWNER shall not change the grade, elevation or contour of any part of the easement area without obtaining the prior written consent of the City.
6. Right of Access. The City and the City's employees, agents, representatives, and authorized parties shall have the right of access to the easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to, the right to remove any unauthorized obstructions or structures placed or erected on the easement area.
7. Easement Runs With Land. This easement shall be deemed to run with the land and shall be binding on OWNER and on OWNER's successors and assigns.
 - iii. The OWNER shall be responsible for exterior maintenance and conformance with the CITY property maintenance code.
- d. The ASSOCIATION shall provide the following public services to the HOLDER(S) of (PUD – attached Prelim Plat) which are typically the responsibility of the CITY;
 - i. Garbage removal service (Rudd required per City Code)
 - ii. Snow removal service (private street and driveways)
 - iii. Lawncare and Landscaping service
 - iv. Developer to make efforts to address nuisances prior to City involvement.
13. All structures within C-1, C-1A and PLI shall have similar architectural design and utilize wood, masonry or steel construction per the Robins Landing Overlay District ordinance;
14. The OWNER shall construct the PROJECT improvements in their entirety, fully comply with this Developer's Agreement and the applicable City Ordinances and provide a four (4) year Maintenance Bond.
15. The CITY shall determine when the improvements have been completed in their entirety and shall make the recommendation to the City Council for acceptance of such improvements.
16. The OWNER agrees that construction of the PROJECT shall not proceed until this Developer's Agreement has been executed by all parties.
17. This agreement shall be deemed to run with the land and shall be binding on all heirs, successors, and assigns of the OWNER.
18. Each business locating within the PROJECT boundaries may put forth an incentive request.
 - a. Requests shall be made directly to the Robins Economic Development Initiative (REDI) and use current REDI processes at the time of application.
 - b. Consideration for the approval of incentive requests shall be based on the proposed use and valuation of each applying property.

OWNER:

Robins Landing First Addition, LLC

By: _____

STATE OF IOWA)
) SS
County of Linn)

This instrument was acknowledged before me on the _____ day of _____, 2022,
by _____ (name) as _____ (name of office)
of Robins Landing First Addition, LLC

Notary Public in and for said State

Approved by the City of Robins, Iowa this _____ day of _____, 2022.

Mayor – Chuck Hinz

Attest:

City Clerk – Lori Pickart